

STATE OF MICHIGAN
COURT OF APPEALS

UNPUBLISHED

May 19, 2011

In the Matter of J. M. S. BOOTH, Minor.

No. 301308

Oakland Circuit Court

Family Division

LC No. 10-776248-NA

Before: CAVANAGH, P.J., and TALBOT and STEPHENS, JJ.

PER CURIAM.

Respondent R. Booth appeals as of right from a circuit court order terminating his parental rights to the minor child pursuant to MCL 712A.19b(3)(b)(i), (g), (j), and (k)(ii). We affirm.

Respondent pleaded no contest to a petition for permanent custody alleging that he had sexually abused the child. The trial court accepted the plea, found that it had jurisdiction, that there was a statutory basis for termination, and that the termination of respondent's parental rights was in the child's best interests.

The issue as stated by respondent in his Statement of Questions Presented is that the trial court erred in determining that termination of respondent's parental rights was in the child's best interests. See MCL 712A.19b(5). However, because respondent does not offer any argument in support of that stated issue, the issue has been abandoned. *Peterson Novelties, Inc v City of Berkley*, 259 Mich App 1, 14; 672 NW2d 352 (2003)..

The issue as argued in the body of respondent's brief is that the trial court erred in accepting respondent's plea to the petition for permanent custody because the court failed to apprise the petitioner that the plea could be used against him in future child protective proceedings and failed to present him with the plea form in advance of the hearing. This issue has not been properly presented for appeal because it is not included in the statement of questions presented. *Busch v Holmes*, 256 Mich App 4, 12; 662 NW2d 64 (2003). Further, it has not been preserved for appeal because it was not raised and addressed in the trial court. *Green v Ziegelman*, 282 Mich App 292, 300; 767 NW2d 660 (2009); *In re Zelzack*, 180 Mich App 117, 126; 446 NW2d 588 (1989). Therefore, our "review is limited to determining whether a plain error occurred that affected substantial rights." *In re Egbert R Smith Trust*, 274 Mich App 283, 285; 731 NW2d 810 (2007), *aff'd* 480 Mich 19 (2008).

The record shows that respondent's plea was knowing, voluntary and intelligent. See MCR 3.971. The court advised respondent of the right to counsel, the right to a trial, the burdens of proof necessary for jurisdiction and the statutory grounds for termination, the right to cross-examine petitioner's witnesses, the right to have witnesses appear and testify for the defense, the right to have defense witnesses subpoenaed by the court, and respondent's right to testify. Respondent stated that he understood those rights. The court also advised respondent that if his plea were accepted, his parental rights to the child would be terminated and respondent stated that he understood. Respondent affirmed that he was electing to enter a plea knowing of the rights he would give up by doing so. The trial court did not advise respondent that termination of his parental rights could affect his right to custody of any future children, but he has neither asserted any authority in support of the need for such information nor has he asserted that if such advice had been given it would have affected his tender of a plea. Again, a party may not announce an issue and provide nothing more than a cursory analysis with no supporting authority. *Peterson Novelties, Inc*, 259 Mich App at 14. Although the trial court did not expressly ask respondent any questions regarding the voluntariness of his plea, respondent acknowledged that he was tendering a plea to a petition for permanent custody and never expressed any objections to the proceedings. Further, respondent does not challenge the trial court's determination of jurisdiction, the statutory grounds for termination, or the child's best interests, and in light of the fact that respondent did not contest the allegations that he had sexually abused the child for several years, the court did not clearly err in terminating respondent's parental rights. MCR 3.977(K). Respondent has not shown any error.

Affirmed.

/s/ Mark J. Cavanagh
/s/ Michael J. Talbot
/s/ Cynthia Diane Stephens